

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JUAN MORALES-BRIONES,

Movant/Defendant,

v.

**No. 12-cv-0420 JEC/SMV
10-cr-3303 JEC**

UNITED STATES OF AMERICA,

Respondent/Plaintiff

ORDER ADOPTING PROPOSED FINDINGS AND RECOMMENDED DISPOSITION


THIS MATTER is before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition [CV Doc. 8; CR Doc. 40¹] ("PF&RD"), issued on July 20, 2012. Upon reference by the undersigned, the Honorable Stephan M. Vidmar, United States Magistrate Judge, found that Movant/Defendant's Motion under 28 [U.S.C. §] 2255 to Vacate, Set Aside, or Correct Sentence by Person in Federal Custody [CV Doc. 1; CR Doc. 31] ("§ 2255 Motion") had failed to show that his sentence violates the Constitution or laws of the United States. PF&RD [CV Doc. 8; CR Doc. 40] at 16. Accordingly, Judge Vidmar recommended that the Court deny the § 2255 Motion and dismiss the case with prejudice. *Id.* No party has filed objections to the PF&RD, and the time for objecting has passed.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Magistrate Judge's Proposed Findings and Recommended Disposition [CV Doc. 8; CR Doc. 40] are **ADOPTED.**

¹ References to the record in case number 12-cv-0420 are "CV Doc. #," and references to the record in case number 10-cr-3303 are "CR Doc. #."

IT IS FURTHER ORDERED that the Motion under 28 [U.S.C. §] 2255 to Vacate, Set Aside, or Correct Sentence by Person in Federal Custody [CV Doc. 1; CR Doc. 31] is **DENIED** and the case **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.



JOHN EDWARDS CONWAY
SENIOR UNITED STATES DISTRICT JUDGE